

HAMILTON COUNTY BOARD OF COMMISSIONERS
SEPTEMBER 25, 2006

The Hamilton County Board of Commissioners met on Monday, September 25, 2006 in the Commissioners Courtroom in the Hamilton County Government and Judicial Center, One Hamilton County Square, Noblesville, Indiana. The Commissioners met in Executive Session in Conference Room 1A at 12:15 p.m. President Holt called the public session to order at 1:45 p.m. and declared a quorum present of Commissioner Christine Altman, Commissioner Steven C. Dillinger and Commissioner Steven A. Holt. The Pledge of Allegiance was recited.

Wayne Township Planning Jurisdiction [1:52:12]

Dillinger motioned to set the meeting for the discussion of the planning jurisdiction for Wayne Township on November 13, 2006 at 7:00 p.m. Altman seconded. Altman asked when would the Commissioners start their regular meeting so we don't have overtime? Holt suggested starting at the regular time and then not adjourn the meeting and come back at 7:00 p.m.? Altman stated she would prefer to start the Commissioner meeting at 3:00 p.m. Holt stated he would like to start at the regular time, the Commissioners can sort out the start time of the regular meeting. Altman will check with the Surveyor regarding the start time of the Drainage Board meeting. Motion carried unanimously.

Approval of Minutes

Altman motioned to approve the minutes of September 11, 2006. Holt seconded. Altman and Holt approved. Dillinger abstained. Motion carried.

Executive Session Memoranda

Dillinger motioned to approve the Executive Session Memoranda of September 25, 2006. Altman seconded. Motion carried unanimously.

Bid Openings [1:55:54]

Highway Vehicles

Mr. Michael Howard opened the bids for the highway department vehicles. Cargo Van (1) - Hamilton County Form 06/03, Non-Collusion Affidavit and Bid Bond were included unless otherwise specified. 1) Dan Young Tipton - \$19,518. 2) Andy Mohr - \$19,789. Submitted a certified check in lieu of the Bid Bond. 3) Hare Chevrolet - \$19,500. 4) Wabash Ford Sterling - \$19,095. Dillinger motioned to forward the bids to the highway department for review and recommendation at the next meeting. Pickup (4x4) Regular Cab (2) - Hamilton County Form 06/03, Non-Collusion Affidavit and Bid Bond were included unless otherwise specified. 1) Don Hinds Ford - \$54,161.06. 2) Andy Mohr - \$55,630. Submitted a certified check in lieu of the Bid Bond. 3) Don Hinds Ford - \$25,065 each/\$50,130 for two. 4) Hare Chevrolet - \$26,200 each/\$52,400 for two. 5) Wabash Ford Sterling - \$28,795 each. Dillinger motioned to forward the bids to the highway department for review and recommendation at the next meeting. Altman seconded. Motion carried unanimously.

Resurface Contract 06-4, Various Roads in Clay, Delaware and Fall Creek Townships

Howard opened the bids for Resurface Contract 06-4, Various Roads in Clay, Delaware and Fall Creek Townships. Form 96, Non-Collusion Affidavit, Bid Bond and Financial Statement were included unless otherwise specified. 1) Calumet Asphalt - \$664,751.45. 2) E&B Paving - \$768,915.27. 3) Grady Brothers - \$682,500. 4) Milestone Contractors - \$688,450. 5) Rieth-Riley - \$841,400. 6) Shelly & Sands - \$699,086.05. Dillinger motioned to forward the bids to the highway department for review and recommendation later today. Altman seconded. Motion carried unanimously.

Employee Health Benefit Plan Summary

Mr. John Elmer requested approval of the Meritain Plan Document and Summary Plan Description. Dillinger motioned to approve. Altman seconded. Motion carried unanimously.

Resolution 9-26-06-01 - Update of Hamilton County Comprehensive Plan [2:06:14]

Mr. Chuck Kiphart stated the Hamilton County Plan Commission has been working with their consultants on an update of the Hamilton County Comprehensive Plan that was adopted in 1990. The Hamilton County Plan Commission held a public hearing for the revised plan on September 6, 2006. The plan commission voted 7-0 to pass on a positive recommendation to the Hamilton County Commissioners that this updated plan be approved. Mr. David Yocca, Conservation Design Firm gave an overview of the updated plan. The planning process relied on the initial data gathered for the original comprehensive plan as well as a public input that involved participants from each of the involved townships - White River Township, parts of Adams Township, Noblesville Township and Wayne Townships. The purpose of the plan is to guide future land use decisions and development policies and it focused on ecology, community, culture and economy, and it is a sound policy for long range planning for natural resources, transportation, homes, business and other community infrastructure supporting elements such as schools and parks. Mr. Todd Fagan, Land Strategies, stated he worked on the transportation component of the land use plan. One of the principals they focused on was to serve Hamilton County Plan Commission residents and businesses with efficient transportation systems. It is important that all residents of Hamilton County have choices and alternatives for getting between home, work, school and other activities. Land use and transportation planning should be closely coordinated. New homes and businesses should be conveniently located between schools, parks and shops as opposed to everyone driving to those facilities. Then to plan and coordinate land use and transportation networks including roadways, trails and walkways to serve both recreation and transportation needs. All of this information has been given to the consultant that is preparing the thoroughfare plan. Yocca stated the last idea is to preserve two lane roads through scenic parts of Hamilton County. This is an idea that underscores the input they received throughout the planning process which was a desire to maintain and preserve the rural character, rustic scenery and the general agricultural characteristic of the un-incorporated areas of the county. This land use policy and recommendation is one tool along those line to attempt to achieve this. Other information included in the document are survey results, sustainable development toolbox which includes different ideas that promote rural character and help the ecology of the county and then specific planning tools.

Altman asked what have they done to integrate potential transit plans into this comprehensive plan? Have you talked with the Indianapolis MPO (Metropolitan Planning Organization) on the northeast corridor. Fagan stated he did speak with the MPO and this was kept at a board level in regards to transportation. There is a section that discusses transit, specifically the rail system from Indianapolis through Noblesville. Altman asked what about Park and Ride lots, have you built in to the comprehensive plan along SR 37 or other major arterioles, areas for Park and Ride? Fagan stated they did not pick specific locations, that was beyond the scope of what they are working on. There is a discussion of Park and Ride lots in the document. They would hope this would be passed on to the consultant working on the thoroughfare plan or a specific study to determine where the Park and Ride lots should be. Altman asked when would we get down to specifics as to set asides or areas under consideration? Fagan stated as far as this study that was beyond their scope, that would have to be a more detailed study. Altman asked what about protecting corridors, such as US 31, with respect to setbacks, etc. or access through the TAC or planning process to insure we don't infringe upon right of way or potential right of way? Fagan stated that was a recommendation, that the thoroughfare plan establish right of

HAMILTON COUNTY BOARD OF COMMISSIONERS
SEPTEMBER 25, 2006

way that should be protected as development occurs. Altman asked if that is a common theme in this document in regards to major thoroughfares? Fagan stated yes.

Holt stated a public hearing was held by the Hamilton County Plan Commission, which follows statute. Holt asked if anyone in the public had comments? Ms. Corrinna Rhode, 22754 SR 37 North, stated she realizes this has been passed on with a positive recommendation but she requested that as things develop they are developed in response to conservation. There are a lot of things that we think we know how Mother Nature wanted to do it and as soon as you drop a housing community in it, it does not matter how it is re-routed it has disrupted something. To preserve and enhance the rural character of Hamilton County and Noblesville. People want to be here because of what we are now, not necessarily by what we are becoming. Rhode requested slowing it down a little bit so we are not building for people who don't live here. You have residents who live here, who are taxpayers who love Hamilton County the way it is. There is plenty of housing available for people who want to come here. To build new housing to potentially complicate roads to create something for people who don't live here yet, let them try to find a home that is for sale and maintain our property values. Rhode thanked Mr. Yocca for his cooperation during the process.

Altman stated the first she saw this document was today. Dillinger motioned to have this as first reading and to place the item on the next agenda for approval. Altman seconded. Altman stated this is a resolution, not an ordinance. Howard stated you are moving to introduce, not take final action and to have it placed for final action at the next meeting. Motion carried unanimously.

Cell Phone User Policy [2:29:45]

Ms. B.J. Casali stated she and Ms. Randall are requesting approval of the Cell Phone User Policy. Casali stated there are approximately 140 non-public safety cell phones in the county with various carriers. Some are personal cell phones with reimbursement by their employer, others are with Cingular, Verizon or Sprint and there are several departments without cell phones. For some departments 320 minutes will not be sufficient, we will need to look at what we finally determine is the appropriate number of minutes. Ms. Randall has a proposed an employee acknowledgment form for approval. Dillinger stated we have agreed we are going with Cingular, what is it that we have not agreed on? Casali stated the 320 minutes will not be sufficient for quite a few departments. Dillinger stated that is to be adjusted by the office holder. Dillinger asked if our overall minutes in the pool need to be adjusted? Casali stated yes to the next level up at least. Some individuals are using 1,000 - 1,200 minutes per month because they are not in the office they are in the field. Randall asked if they should ask any department that has a need above the 320 to give the exact number of minutes and justification? Randall stated her belief was that the commissioners would make the determination for the initial implementation and then any additional requests would go before the personnel committee and brought back to the Board. Dillinger stated he does not know how the commissioners can approve or disapprove with any logical defense what someone uses as a cell phone, that is the reason we are leaving it up to the department head. If there is some question or a challenge the commissioners could look at those. Casali stated her biggest concern is exceeding the pool. Dillinger stated when we originally set the pool we said we may need to go to the next level and you are telling me that we do know and we need to go to the upper level. Casali stated correct. The upper level is 450 minutes but she does not remember the price. Our original proposal was for 320 minutes for 98 phones at a cost of \$3,152 per month. The next level is for 450 minutes at approximately \$4,000 per month. We may need to go higher than that, she needs to average out the number of minutes per phone and determine what is the best plan. Altman stated there are a lot of Nextel users on our system. Altman stated if we should come up with two or three pool plans where we keep a balance. If people find the Nextel very helpful in cost savings then they would have the option to go to that plan instead of just Cingular. Dillinger stated the reason we received the rate from Cingular is that we would not do that, with the exception of Nextel because they can not provide. Holt stated he thought this was all decided. Holt asked if this should be tabled until the next meeting? Dillinger agreed. Item tabled.

Holt called a recess in the meeting.

Holt reconvened the meeting. [2:38:59]

Change Order - Juvenile Services Center

Senior Citizens Organization Parking Lot Paving

Mr. John Barbee requested approval of a change order on the Juvenile Services Center project. The Senior Citizens Center had requested we look at the paving to their parking lot. That entrance was used as a construction entrance during the project. The total amount of the change order is \$26,429. Dillinger motioned to approve. Altman seconded. Motion carried unanimously.

Animal Shelter Signage

Barbee presented options for the Animal Shelter signage. The Humane Society and Spay Neuter Clinic both prefer the name Hamilton County Animal Welfare Center. Other options are: Hamilton County Humane Society & Spay/Neuter Clinic, Hamilton County Animal Shelter and Hamilton County Animal Control Center. Altman suggested Hamilton County Animal Shelter and Spay Neuter Clinic. Ms. Rebecca Stevens stated she recommended the Hamilton County Animal Welfare Center because the whole building embodies more than just an animal shelter and a low cost spay neuter clinic. It comprises animal control as a function of what we do, it is education in the community to try to prevent over population, it is low cost spay neuter, it is a lot of things. This is were everything happens that is animal related in Hamilton County. This is a positive and progressive name and is representative in terms of what Hamilton County should be looking at in terms in the future in Hamilton County. Holt asked if she visualized an additional sign that indicates the Humane Society is located there? Stevens stated yes. This would be the sign on the building and then on each of the doors there would be decals, one stating Hamilton County Humane Society and the other Low Cost Spay Neuter Clinic, Inc. Holt asked if there is any free standing signage anticipated? Barbee stated no. Altman stated the whole idea of signage is to avoid confusion and she does not think the general population would look at it in the same light that you do. Altman stated she would lobby for animal shelter as it has general recognition as well as spay-neuter. Stevens stated she thinks the humane society needs to be an integral part of that as well, when people come out they are looking for the humane society, not the animal shelter. She has never heard anyone ask where the animal shelter is located. Altman stated her preference is animal shelter and spay-neuter clinic, that does not identify the tenants, it identifies the function. Ms. Velda Benitz, Spay-Neuter Clinic, stated when she heard the name Animal Welfare Center, she thought is sounded wonderful but Altman brought up a good point, is the public going to know what it is when they are driving by? Our second choice would be Animal Shelter/Low Cost Spay Neuter Clinic. Either one is ok with the spay-neuter clinic. Dillinger stated it is the Humane Society/Spay Neuter Clinic, lets just call it that. Holt stated he likes Welfare Center but he does see the point that it is not descriptive enough to get someone in the door. Holt stated he likes choice #2 - Hamilton County Humane Society & Spay/Neuter Clinic. That does tell you what goes on. Everyone knows that we have contracted with the humane society for animal control. Altman stated she does not think it is

HAMILTON COUNTY BOARD OF COMMISSIONERS
SEPTEMBER 25, 2006

appropriate to have a tenant name on the building when it was built with taxpayer dollars. Dillinger motioned to accept the #2 recommendation (Hamilton County Humane Society & Spay/Neuter Clinic. Holt seconded. Dillinger and Holt approved. Altman abstained. Motion carried.

Third Floor Renovations

Barbee stated he visited Riverveiw Hospital with Ollie Shierholz and Mike Kendall to look at the Fredericks case work installations. He did see a lot of good work and Fredericks will be providing us with a sample of the top of the judges desk that we can review before we begin construction.

Washington Township Assessor Building Lease

Ms. Jerolyn Ogle, Washington Township Assessor, requested approval of her building lease modification. Her lease is automatically renewable and it has to be signed every four years. The rent amount has been increased from \$39,000 annually and to \$43,200. Dillinger motioned to approve. Altman seconded. Motion carried unanimously.

Cingular Cell Phone Tower Amendment

Mr. Dave Dickson, Cingular, stated the amendment for the contract for rental space on the tower at the Sheriff's department addresses the rent of \$9,100 annual with 10% increase in rent beginning each renewal period and the term is a new 5 year initial term with a 4-5 year renewal period. Holt stated the commissioners have asked Captain Craig to report to us what the current tower usage is and his report is that the tower is full. If there are additional county needs for tower space we are out of luck. Captain Craig also reported that the upgrades you are requesting will require additional coax on the tower and additional reinforcement of the tower in order to hold the additional equipment. Dickson stated that is correct. Mr. Joseph Igliah construction manager, stated there are existing 9" antennas on this tower which will be removed and new antennas put in the exact same location. There will be additional six (6) TMA's (Transmit Amplifier for the antennas) that will be placed behind the antennas and they are one square foot in size. Captain Craig is correct that there will be three new additional lines going to the 180' level. The modification to the tower is upgrading the diameter of the guide wires. It is an even swap out, just an upgrade. The lower hook arm will be a 3' bolt on a bracket to give strength loading on the legs. Between 160' and 180' there will be additional bolt on bracing for the sheer strength on each of the three legs, this will strengthen the tower. Currently there is 90 mph wind loading on this tower, the International Building Association's recommendation for this area is 75 mph with gusts of 90 mph with 3 second gusts. The additional bracing is being installed to come in line with those recommendations. The only three items taking up more space than is currently on the tower are the three coax runs, which are 7/8 inch in diameter. Altman asked if there is additional wind resistance with the boxes you anticipate putting up there? Igliah stated the antennas will add 12% more of the existing antennas, not on the tower. The wind loading on the coax will add to the tower. Altman stated we have already sent a letter declining the additional weight to the tower. Dickson stated we had made a proposal to change the equipment on the tower and make the modification which was declined. Not knowing why it was declined he spoke with Mr. Holt, who asked that we review the lease. Dickson stated if they allow the additional equipment Cingular will do the modification to the tower to accommodate the wind load and weight. Holt stated he thought this was about the money but that was before he heard from Captain Craig who told them there are wind shear issues and they are out of space. Dickson stated we are not necessarily taking more space, we are replacing what we have. Altman stated you are not taking more space but you are putting more load on the tower that may preclude additional reinforcement in the future, which we have declined. Our position in the original letter stated we would honor our lease with the equipment and wind shear and weight as it stands. Dickson stated he is confused, our tower modification would allow our equipment to go on the tower, what you are saying is you do not want to modify your tower? Holt stated our in-house expert is telling us that it is a poor idea, he does not care about the money, he is concerned about the tower and its capacity to hold equipment. Howard stated it is a public safety tower, Cingular is on there because when we made this deal we thought we had plenty of space on the tower to accomodate our needs and your needs. If we need space on that tower today we either throw you off and pay breech of contract or we incur the cost of a new tower. Dickson stated one way to accomodate future needs to design those today, allow us to make modifications today to allow you to put future needs on the tower by upgrading the capacity of the tower. Altman stated she heard from our expert that your upgrade will accomodate what you want to do. Dickson stated this is the first discussion he has had in this regard, would it be more helpful to have the engineers do a structural analysis and make modifications to bring the tower to what the current loading is now so the modifications that are done would not change the current load. Altman stated no, that does not increase capacity. Dillinger stated doing a study and figuring out what it would cost to increase capacity beyond what your needs are or what are needs are is something we should look at. Howard stated there are two issues, there is weight and then the systems have to be separated by certain distances. It is not only load bearing, it is technology spacing and those are not things that we can decide in the middle of a meeting. Igliah stated with the current antennas the replacement antennas would not change. Altman stated your replacement antennas would not change but the only thing that would allow you to upgrade and put more weight on our tower is to create additional capacity for us to use in the future and if you can do that we will listen to you, if you can't there is no more discussion. Dickson stated they will go back and look at increasing the capacity of the tower for future use (five years) and send it to the commissioners for your consideration. Holt stated they should send it to the Sheriff's department. If the Sheriff wants to recommend it for public safety needs for the county, then we will look at it. Altman stated they do not have her vote to extend the lease any farther than what it is now. It is beyond what should have been signed in the first place. Holt asked that Cingular do something, their service south of Noblesville is terrible. Dillinger asked if what they are proposing to do on this tower change that issue? Dickson stated it would provide a different service not more coverage.

Acceptance of Polling Places

Ms. Kathy Richardson requested approval of the changes of polling places for the November 7, 2006 General Election. Dillinger motioned to approve. Altman seconded. Motion carried unanimously.

Pest Control Renewal

Mr. Scott Warner requested approval of the renewal agreement for pest control of the county facilities. Altman motioned to approve. Dillinger seconded. Altman asked if Warner sends out a request annually to three different vendors? Warner stated no, he sends out a request to the people who are familiar with the facility. Altman stated on contracts we should routinely send out requests to three vendors, even if it falls under the statutorial bid allowance. Altman stated at least periodically we should send out requests from three vendors. Motion carried unanimously.

Highway Business [3:09:25]

Plat Approval

West Carmel Marketplace

HAMILTON COUNTY BOARD OF COMMISSIONERS
SEPTEMBER 25, 2006

Mr. Tim Knapp recommended approval of the Secondary Plat for West Carmel Marketplace. Dillinger motioned to approve. Altman seconded. Motion carried unanimously.

Acceptance of Bonds/Letters of Credit - Highway Department

Mr. Brad Davis requested acceptance of Bonds and Letters of Credit for the highway department. 1) HCHD #B-00-0079 - AMCO Insurance Company Annual Bond Continuation Certificate #BDA 0000431186 issued on behalf of A-1 Superior Excavating, Inc. in the sum of \$25,000 to now expire August 16, 2007. 2) HCHD #B-06-0038 - Fidelity and Deposit Company Performance/Payment Bond No. 7584862 issued on behalf of Calumet Asphalt Paving Co., Inc. in the sum of \$252,494 for Small Structure #31046 - Eagletown Road over Symons Ditch to expire August 31, 2008. 3) HCHD #B-06-0039 - Travelers Casualty and Surety Company Performance/Payment Bond No. 104795047 issued on behalf of E&B Paving, Inc. in the sum of \$426,280.50 for Resurface Contract 06-3 to expire September 12, 2008. 4) HCHD #B-06-0040 - Bond Safeguard Insurance Company Performance Bond #5022775 issued on behalf of Brenwick Development Company in the sum of \$315,000 for Timber Bridge #211 in the Lackhaven-Kippford Street Extension to expire September 25, 2008. 5) HCHD #B-06-0041 - Fidelity and Deposit Company Permit Bond No. 08795391 issued on behalf of Mark Eagan Signs, LLC in the sum of \$5,000 to expire September 11, 2007. Dillinger motioned to approve. Altman seconded. Motion carried unanimously.

Agreements/Supplements [3:10:18]

Subdivision Inspection Agreement - Bridge #211

Davis requested approval of Subdivision Inspection Agreement, HCHD #A-06-0005 for Bridge #211, Kippford Street over Vestal Ditch between the county and Brenwick Development (developer) and USI Consultants (engineer) in the amount of \$10,200. Dillinger motioned to approve. Altman seconded. Motion carried unanimously.

Bridge #110 Supplement Agreement No. 3

Davis requested approval of Supplemental Agreement No. 3, HCHD #E-03-0006, with Beam, Longest and Neff LLC for Bridge #110, 186th Street over Cool Creek. Dillinger motioned to approve. Altman seconded. Motion carried unanimously.

Small Structure No. 31058 Supplemental Agreement No. 1

Davis requested approval of Supplemental Agreement No. 1, HCHD #E-03-0003, with Beam, Longest and Neff LLC for Small Structure No. 31058, Lamong Road over McKinzie Ditch. Dillinger motioned to approve. Altman seconded. Motion carried unanimously.

Landscaping and Sprinkler System in Right of Way - Hampton Cove Development

Davis requested approval of an agreement with Marina Limited Partnership for landscaping and sprinkler system in right of way for Hampton Cove Development, 96th Street and Fall Creek Road. Altman motioned to table. Dillinger second. Motion carried unanimously.

Concurrence with Traffic Study Correspondence

Davis requested approval of the list of correspondence concerning investigations of requests for signage on Hamilton County Roads dated September 25, 2006. Dillinger motioned to approve. Altman seconded. Motion carried unanimously.

Official Action

Willomere Drive

Davis requested approval of an official action to install regulatory signs on Willomere Drive in Clay Township. Dillinger motioned to approve. Altman seconded. Motion carried unanimously.

Excess Property - Highway Department

Davis requested approval of the list of highway excess property for the auction scheduled for October 21, 2006. Buildings and Grounds has requested substituting a 1988 GMC pickup with a highway department 4x4 truck with plow. Dillinger motioned to approve. Altman seconded. Motion carried unanimously.

Bid Award

Resurface Contract 06-4

Davis stated the bids for Resurface Contract 06-4, various roads in Clay, Delaware and Fall Creek Townships, have been reviewed and they recommend the bid be awarded to Calumet Asphalt in the amount of \$664,751.45. Dillinger motioned to approve. Altman seconded. Motion carried unanimously.

Highway Meeting

Davis reminded the Commissioners of the Friday morning highway meeting on September 29th at 7:30 a.m. at the highway department.

RTA Proxy

Altman stated the RTA has adopted a policy to allow proxys for their meetings. Altman would like to designate Brad Davis as the Commissioners proxy. Holt motioned to appoint Brad Davis as proxy. Dillinger seconded. Motion carried unanimously.

Commissioner Committee Reports

UASI Funds

Altman requested authority to sign an extension, if necessary, with the contract for the UASI Funds between Hamilton County and Wishard Hospital who is administrating the Medtronics. She does not anticipate they will exercise the extension but this has to do with spending down the funds by the deadline. Dillinger motioned to approve. Holt seconded. Motion carried unanimously.

Attorney [3:20:37]

Lease of Paved Area for Parking

Mr. Michael Howard requested approval of the Lease of Paved Area (former Kahlo lot) for Parking with Riverview Hospital. Altman motioned to accept the lease agreement with Riverview Hospital for the parking for employees and jury. Dillinger seconded. Holt stated he thinks this is a poor idea. He can not imagine a county employee or juror walking across that bridge in the winter. The likelihood of getting across that bridge in one piece is marginal. We are setting our employees or a juror for impending disaster whether overflow or daily, it is a poor idea. Altman suggested requesting Buildings and Grounds maintain the sidewalks to and from the parking area? Holt stated he has spoken with Scott Warner, the plow does not fit on the bridge which means on a snow day, when we are scrambling to keep the current walks clear we will have people out manually shoveling the sidewalk on the bridge. When there is snow on the road deck you will not keep ice and slush off of the sidewalk on the bridge. Altman stated we are talking about 20 to 50 days per year at most. We can make that parking available all of the other days. Holt stated on a rainy day it is further away. It will be an easy out to say park at the Kahlo lot instead of making accommodations closer to the

HAMILTON COUNTY BOARD OF COMMISSIONERS
SEPTEMBER 25, 2006

building. Dillinger asked what is the alternative? Holt stated how are we doing it today? Holt asked Mr. Schierholz how often do the courts now have a place for jurors to park? Schierholz stated maybe once a month, it is only on the days when we have multiple trials. Holt stated if you designate that as juror parking it will go out in the letter to every prospective juror that they are to park in the Kahlo lot and we are not going to know if it is a snow or rain day and that is where we have told them to park. Altman stated we have not told them to park anywhere, we have told them where there is available parking and they can choose. Altman stated it is not a bad idea to walk a little bit to the building, we don't have another alternative. Dillinger stated we don't need it for our employees, once we get the bank building. Holt stated we don't need it for the jurors, why are we undertaking the expense? Altman stated there is not a huge expense in stripping or putting it under our insurance policy. We have not taken a duty to maintain that lot other than in its current condition. Holt stated once that information is put in the letter as a parking option, which is one of the easiest areas to identify we will have people from all over the county walking across that bridge to get to this building. Dillinger asked if you are summoned to Marion County to jury duty, where do you park? Altman stated they don't tell you. Dillinger stated you park wherever you can. Dillinger stated if we are providing space, which they do not have to pay for and it just over the river from the courthouse, it seems it is a very good deal. Holt asked if Dillinger knows if the jurors are not given a space to park in Marion County? Schierholz stated he has been a juror in Marion County and they are given no direction at all. Holt asked if you are reimbursed for parking? Schierholz stated no, you receive the regular juror fees. Dillinger stated he thinks we need to sign the agreement and make it mandatory that jurors park over there. Altman stated it makes an excellent parking option the majority of the year. Schierholz stated in the letter they send out they would identify all of the places they can park, we don't tell them where they have to park the only thing we tell them is to not park on the courthouse square. Holt asked Schierholz, as the Court Administrator, if he supports the use of the Kahlo lot for the juries? Schierholz stated he does not like the idea of the people walking from that lot in the winter in the snow and ice, whether it is a juror or employee, but he is hard pressed to say how many people we are talking about. Altman stated they will choose to park elsewhere if there is snow and ice. No one is telling them to park there, we are not assigning places, it is an option. Altman called for the question. Dillinger and Altman approved. Holt opposed. Motion carried.

Ordinance 9-25-06-B, Ratifying Changes of Employee Handbook

Howard requested approval of Ordinance 9-25-06-B, An Ordinance of the Hamilton County Board of Commissioners Ratifying Changes of the Employee Handbook. Dillinger motioned to waive the rules and pass on first reading. Altman seconded. Motion carried unanimously. Altman motioned to adopt Ordinance 9-25-06-B. Dillinger seconded. Motion carried unanimously.

Interlocal Agreement - City of Noblesville

Howard requested execution of an Interlocal Agreement between the City of Noblesville and Hamilton County Interagency Safety Board. This was previously approved but the document has been misplaced. The commissioners re-executed the document previously approved.

Administrative Assistant

Exception of Personal Use of Vehicle for Scott Warner

Holt asked if anyone is familiar with the issue of the exception for Scott Warner for personal use of his vehicle? Ms. Robin Mills stated per the Employee Handbook, Section 5.6.1, Personal Use of Vehicle, a special exception needs to be made for personal use of a county vehicle outside of Hamilton County. Dillinger asked to wait on this until the other side is in attendance.

E911 Review Board Appointment

Dillinger motioned to appoint Randy Kent to replace Jerry Larrison on the E911 Review Board. No second.

Magistrate Position

Mr. Ollie Schierholz requested the adoption of a Resolution in favor of the county seeking an additional Magistrate position. During the budget process the council has approved a second full time Court Commissioner. We currently have one full time Magistrate, one full time Court Commissioners and one part time Court Commissioner. Altman asked where do they plan on putting the new Magistrate? Schierholz stated there will be no increase in space for this request, if the legislator approves this position. The reason for requesting the Magistrate has to do with the powers between a Court Commissioner and a Magistrate. The Magistrate has more judicial powers than a Court Commissioner and the salary is paid by the State, not by the County. Altman stated this would be a Magistrate instead of a Court Commissioner? Schierholz stated yes, if approved we would have two full time Magistrates and one full time Court Commissioner. The space currently being used is exactly what was anticipated being use with the build out with Hearing Rooms 3C and 3D. Altman stated it is on the record that the courts will not be asking for additional build out space or otherwise space use of this facility? Schierholz stated that is correct, not in conjunction with this. Dillinger stated he is not in favor of any Judges, Magistrates, Commissioners, nobody else. Altman would like to talk to County Council, has a presentation been made to the Council? Schierholz stated no, he will be appearing before the Council on October 4th. Altman stated she understands the Magistrate over Commissioner, but did you make a presentation to the Council to exact that? How did you get that out of Council? Schierholz stated he told the Council during budget hearings that a part time Commissioners is a part time Commissioner who works five days a week. He is not really a part time Commissioner. The only difference is the issue of benefits of going from part time to full time. Looking at a cost comparison, what it costs the county to pay someone to be a part time commissioner five days a week as opposed to a full time Commissioners is less than \$7,000. Altman stated the new Commissioner is the replacement of the part time/full time Commissioner so this is not a new position? Schierholz stated it is not a new position, the full time Commissioner we currently have is Todd Reutz, Todd will remain the full time Commissioner. Will Greenaway is the part time Commissioner, he will become the other full time Commissioner next year. Altman stated which you want to change to Magistrate if allowed by the State? Schierholz stated if the legislature would approve another Magistrate position in Hamilton County. Dillinger asked if they will want to fill that Commissioner position? Schierholz stated no, if we get the Magistrate position we will have two Magistrates - David Najjar, another Magistrate and one full time Commissioner whom would be Todd Reutz. Dillinger stated you have one and half now? One is full time and one is part time? Scheirholz stated yes. Dillinger stated you are doing away with part time to make a full time Magistrate so you would not have the full time that is a part time? Schierholz stated correct. Altman stated we want on the record the assertion that this will not actually create another position and you will not fill the part time position. Dillinger state or any indication that we are asking the legislature for another Judge position. Schierholz stated we are not at this time asking for another Judge position. Holt stated on the assumption that no one moves across 96th Street it is not an issue. Altman motioned to approve. Dillinger seconded. Motion carried unanimously. Schierholz assured the Commissioners that there is no increase in facility space with this request.

HAMILTON COUNTY BOARD OF COMMISSIONERS
SEPTEMBER 25, 2006

Sheriff [3:40:04]

Juvenile Services Center

Sheriff Carter stated in anticipation of us taking acceptance of the Juvenile Services building, when the Commissioners took control of the Jail building there was a function held. Carter stated one function will be internal and Commissioner Altman has contacted his person regarding an external function. Altman stated when we opened the last facility there was a sleep over and she thinks this would be a good idea. They have discussed the first week of the new year but she is concerned about participation given that it overlaps winter vacation for every county school. Altman suggested deferring the event one week to avoid that issue. The other public opening would be to try to entice commissioners and probation employees from user counties to come through the facility. Most everyone has said they would like to see the center when it is done. We may be in the position to do that in mid-December, which may be the logical time to do that. Carter stated the month of December is very difficult to schedule. Holt stated he understands the necessity of the open house but a sleep over is a cute thing to do, this is not a cute facility and it is not dealing with cute issues and he is struggling if we are sending the right message to the community if we schedule a sleep over in the Juvenile Services Center. Dillinger stated the sleep over at the Jail was not set to be cute, it was to give people a true feeling of what it was to be over there overnight. Altman stated she thinks it is important for people to understand it is not a detention center it is a service center. Holt stated you can understand that taking a tour. Altman stated assuming you could get the same traffic there with a tour. Holt stated when you say sleep over the connotation in his mind is a good time. This will get press and kids will see it and he is not sure what message it is sending that adults in the community want to spend the night in a detention center that we all hope and pray somebody we know does not spend the night in. Dillinger stated it makes no difference to him. Altman stated from a public relations standpoint and education standpoint it is a good idea. Altman stated we don't have to decide today. Carter confirmed that either way an event will be held the second week in January? Altman stated yes.

Auditor [3:45:47]

2007 Meeting Schedule

Ms. Robin Mills requested approval of the 2007 Meeting Schedule. Altman motioned to approve. Dillinger seconded. Motion carried unanimously.

Treasurer's Monthly Report

Mills requested approval of the County Treasurer's Monthly Report dated August 31, 2006. Dillinger motioned to approve. Altman seconded. Motion carried unanimously.

Acceptance of Bonds/Letters of Credit - Drainage Board

Mills requested acceptance of Bonds and Letters of Credit for the drainage board. 1) HCDB-2006-00049 - Ohio Farmers Insurance Company Performance Bond No. 5845266 - Russell Johnson Drain for Hoosier Road Reconstruction in the amount of \$119,085. Dillinger motioned to approve. Altman seconded. Motion carried unanimously.

Payroll Claims

Mills requested approval of Payroll Claims for the period of August 28 thru September 10, 2006 paid September 22, 2006. Dillinger motioned to approve. Altman seconded. Motion carried unanimously.

Vendor Claims

Mills requested approval of Vendor Claims to be paid September 26, 2006. Dillinger motioned to approve. Altman seconded. Motion carried unanimously.

Dillinger motioned to recess the meeting.

Commissioners Correspondence

Beam, Longest and Neff Notice of Transmittal:

Bridge #220, Lamong Road over McKinzie Ditch

INDOT Resolution Establishing Traffic Controls on US 31

IDEM Notice of Sewer Permit Applications:

Eaglewood Inceptor Sewer - Carmel/Zionsville

The Woods at Lion Creek - Carmel/Zionsville

IDEM Receipt of Air Permit Application:

E&B Paving - Noblesville

IDEM Notice of Sanitary Sewer Construction Permits:

Village of West Clay, Moultrie Street - Carmel

IDEM Notice of Decision - Approval:

Milestone Contractors, L.P.

Present

Christine Altman, Commissioner

Steven C. Dillinger, Commissioner

Steven A. Holt, Commissioner

Robin M. Mills, Auditor

Dawn Coverdale, Chief Deputy Auditor

Michael A. Howard, Attorney

Darren Murphy, Attorney

Doug Carter, Sheriff

Brad Davis, Highway Director

Virginia Hughes, Administrative Assistant to Highway Engineer

Amber Emery, Highway Public Service Representative

Mark Fisher, Highway Technical Engineer

Christopher Burt, Highway Staff Engineer

HAMILTON COUNTY BOARD OF COMMISSIONERS
SEPTEMBER 25, 2006

Tim Knapp, Highway Right-of-Way Specialist
Matt Knight, Highway Staff Engineer
Faraz Kahn, Highway Department
Kathy Howard, Highway Department
Bob Davis, Highway Superintendent
Joyceann Yelton, Noblesville Planning Department
Steve Huntley, Noblesville Planning Department
Mark Jones, E&B Paving
John Heshelman, Woolpert - West Carmel Marketplace
David Zimmerman, Wayne Township
Dave Mead, Don Hinds Ford
Tom Lintz, Shelly & Sands, Inc.
Sheila Cooper, Grady Brothers
PJ Ogborn, Wayne Township
Rex Ogborn, Wayne Township
Peggy Fulton, Wayne Township
Patti Smith, Beam, Longest and Neff
John Elmer, One Source Insurance
BJ Casali, ISSD
Sheena Randall, Human Resources
Jerolyn Ogle, Washington Township Assessor
Scott Warner, Buildings and Grounds
Diane Nevitt, Wayne Township
Mr. & Mrs. Moose Stern, Wayne Township
Chuck Kiphart, Hamilton County Plan Commission
David Yocca, Conservation Design Firm
Todd Fagan, Land Strategies, Inc.
Corrinna Rhode, Comprehensive Plan
Dave Dickson, Cingular
Joseph Iglia, Cell Tower
John Barbee, Envoy, Inc.

APPROVED
HAMILTON COUNTY BOARD OF COMMISSIONERS

ATTEST

Robin M. Mills, Auditor